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| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number | 10/799,749 |
| | | Filing Date | March 15, 2004 |
| | | First Named Inventor | Barry N. Kreiswirth |
| | | Art Unit | TBD |
| | | Examiner Name | TBD |
| Total Number of Pages in This Submission | 314 | Attorney Docket Number | 19124.0016 |

| ENCLOSURES (check all that apply) | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> PTO form 1449 and 11 References |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | Edward A. Pennington, Reg. No. 32,588 Swidler Berlin Shereff Friedman LLP |
| Signature |  reg. no. 41,488 for Edward Pennington |
| Date | May 17, 2004 |

| CERTIFICATE OF MAILING | | | |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Barry N. Kreiswirth et al.

Application No. 10/799,749

Filed: March 15, 2004

For: Method for Tracking and Controlling Infections

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Art Unit: TBD

Examiner: TBD

INFORMATION DISCLOSURE STATEMENT

Box IDS
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P.O. Box 1450
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Sir:

For insuring compliance with the applicant's duty of disclosure under 37 CFR § 1.56, the undersigned hereby submits the documents listed on the attached Form PTO-1449 for consideration by the Examiner in charge of the above-identified patent application.

☐ U.S. patent applications which the applicant considers to be related to the above-identified application are as follows:

☐ A concise explanation of the relevance of the non-English language references is attached:

☒ The relevance of the references is indicated on the enclosed copy of the International Search Report for the priority application.

These documents are being submitted (check only one of the next four boxes):

☐ within three months of the filing of the above U.S. national application or of the date of entry of the U.S. national stage in an International Patent Application (no fee is due);

☒ before receiving a first Office Action on the merits of the above-identified patent application; or before receiving a first Office Action after filing of a Request for Continued Examination (no fee is due);

☐ following receipt of a first Office Action, but before issuance of a Final Office Action or a Notice of Allowance (if this box is checked, one of the last three boxes also must be checked);

OR

☐ following receipt of a Notice of Allowance or a Final Office Action (if this box is checked, the next box and one of the last two boxes also must be checked).

☐ The Commissioner is hereby authorized to charge Deposit Account 19-5127, in the amount of \$180.00 for payment of the fee set forth in 37 CFR § 1.17(p).


☐ The undersigned certifies that each item of this information is being submitted within three months of the date it was cited by a foreign patent office in a counterpart application.

☐ The undersigned certifies that, after making reasonable inquiry, he/she has no knowledge that any item of this information was cited by a foreign patent office in a counterpart application or was known more than three months prior to this submission.

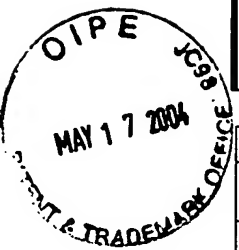
The Commissioner is hereby authorized to charge payment of any deficiency in the above fee(s) or to charge any additional fees required under 37 CFR § 1.16 or 1.17 or credit any overpayment to Deposit Account No. 19-5127.

Respectfully submitted,

Date: May 17, 2004

 Reg. No. 41,988 for

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FORM PTO-1449

Attorney Docket:

19124.0016

Application No.:

10/799,749

INFORMATION DISCLOSURE CITATION

Applicants:

Barry N. Kreiswirth

Examiner:

TBD

Filing Date:

March 15, 2004

Group Art Unit:

TBD

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | REF. NO. | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS |
|---------------------|-------------|--------------------|------|------|-------|---------------|
| | AA | | | | | |
| | AB | | | | | |
| | AC | | | | | |
| | AD | | | | | |
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FOREIGN PATENT DOCUMENTS

| | REF. NO. | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB- CLASS | TRANSLATION |
|--|-------------|--------------------|----------|---------|-------|---------------|-------------|
| | CA | 98/50555 A | 12/11/98 | WO | | | |
| | CB | 01/070955 A | 27/09/01 | WO | | | |
| | CC | 02/20827 A | 14/03/02 | WO | | | |
| | CD | | | | | | |
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| | CH | | | | | | |
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| | CJ | | | | | | |

OTHER REFERENCES

| REF. NO. | AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC. |
|-------------|---|
| CK | Database EMBL Online; 19 March 1999 (XP002257261) accession no. EBI; Database accession no. AAX13101 abstract |
| CL | SHOPSIN B ET AL. "EVALUATION OF PROTEIN A GENE POLYMORPHIC REGION DNA SEQUENCING FOR TYPING OF STAPHYLOCOCCUS AUREUS STRAINS" Journal of Clinical Microbiology, vol. 37, no.11 (Nov. 1999) pgs 3556-3563 XP002257257 |
| CM | SHOPSIN B ET AL., "USE OF COAGULASE GENE (COA) REPEAT REGION NUCLEOTIDE SEQUENCES FOR TYPING OF METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS STRAINS" Journal of Clinical Microbiology, vol. 38, no. 9 (Sept. 2000) pages 3453-3456, XP002257258 |
| CN | VAN BELKUM A, "SHORT SEQUENCE REPEATS IN MICROBIAL PATHEOGENESIS AND EVOLUTION", CMLS Cellular and Molecular Life Sciences, vol. 56, no. 9-10, 30 November 1999, pages 729-734, XP002257259 |
| CO | VAN BELKUM A, "THE ROLE OF SHORT SEQUENCE REPEATS IN EPIDEMIOLOGIC TYPING", Current Opinion in Microbiology, England, June 1999, vol. 2, no. 3, pages 306-311, XP002257260 |
| CP | RICHERT H. M. ET AL., "BUILDING COMMUNICATION NETWORKS: INTERNATIONAL NETWORK FOR THE STUDY AND PREVENTION OF EMERGING ANTIMICROBIAL RESISTANCE" Emerging Infectious Diseases, Atlanta, GA, US, vol. 7, no. 2, March 2001, pages 319-322, XP002947399 |
| CQ | ENRIGHT M C ET AL., "MULTILOCUS SEQUENCE TYPING", Trends in Microbiology, Elsevier Science LTD., Kidlington, GB, vol. 7, no. 12, Dec. 1999 (pages 482-487) XP002947397 |

Examiner

Date Considered

Examiner: Initial if reference consider, whether or not citation is in conformance with MPEP §609.

Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to Application

| | | |
|---|------------------------------------|--------------------------------|
| FORM PTO-1449 | Attorney Docket: 19124.0016 | Application No.: 10/799,749 |
| <u>INFORMATION DISCLOSURE CITATION</u> | Applicants: Barry N. Kreiswirth | Examiner: TBD |
| | Filing Date: March 15, 2004 | Group Art Unit: TBD |

| OTHER REFERENCES | | |
|------------------|-----|---|
| | CR | |
| | CS | Database EMBL Online, 29 March 2003; XP002257316 accession no. EBI Database accession no. AE016947 abstract & Science, vol. 299, no. 5615; pages 2071-2074. |
| | CT | |
| | CU | |
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| | CY | |
| | CZ | |
| | CAA | |

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